UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

COUNTY OF HENRY AND
HENRY COUNTY SHERIFF'S DEPARTMENT
Employer

and

Case 25-WH-094431

ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL

Petitioner

CERTIFICATION OF REPRESENTATIVE AS BONA FIDE UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938

On December 7, 2012, Illinois Fraternal Order of Police Labor Council filed with the Regional Director for Region 25 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 207(b).

On January 18, 2013, a Notice to Show Cause why the Board should not grant the request was served on the parties. A second Notice to Show Cause was served on the parties on January 30, 2013. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized collective-bargaining representative of the unit employees, the Acting Regional Director recommended to the Board that the requested certification be issued.

¹ The Regional Director issued the second Notice to Show Cause due to an error in the address of the original Notice.

The record indicates that the Employer and the Petitioner entered into a collective-bargaining agreement that was effective from December 1, 2009 through November 30, 2012, that would continue in effect from year to year in the absence of written notice of termination.

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board hereby certifies that the Illinois Fraternal Order of Police Labor Council is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of the County of Henry and Henry County Sheriff's Department in the following unit:³

All full-time sworn non-peace officers and civilian employees of the Henry County Sheriff's Department in the position classifications of Correctional Officer, Telecommunicator, Jail Administrator, Secretary/Clerk, Data Analyst, and Court Security Officer.

Dated, Washington, D.C., April 16, 2013.

By direction of the Board:

Gary W. Shinners

Executive Secretary

A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).